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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No. 09/034,934	**Applicant(s)** ELLIS ET AL.
Office Action Summary	**Examiner** Vivek Srivastava	**Art Unit** 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 January 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26, 28-78, 84-91 and 181-447_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26, 28-78, 84-91 and 181-447_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

(1) Applicant argues that Cherrick fails to support the Official Notice taken. In particular that Cherrick fails to teach to show a user programs which are substantially currently available to quickly provide a display and indication of what programs are available at the current time.

The Examiner concurs that Cherrick is part of a more expansive listing of programs. However, within the expansive listing of Cherrick, Cherrick clearly teaches an option of showing a user programs which are substantially currently available to quickly provide a display and indication of what programs are available at the current time. Referring to the previous office action, the combination of Etheredge in view of Alexander clearly teach the programs on a hot list, what is deficient in the combination is displaying programs on the list which are substantially currently available for viewing by the user. Now referring to figure 7 in Cherrick, all the programs on the list start at 11 AM and are currently available for viewing by a user at the current time of 11:18 AM. It is clear that Cherrick teaches the deficiency lacking in the combination of Etheridge and Alexander. As a result, the Applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-26, 28-35, 41-78, 84-88, 91 and 181-218, 220, 223-265, 268-305, 311-

352, 354, 356-393, 399-440 and 444-447 rejected under 35 U.S.C. 103(a) as being

unpatentable over Etheredge (US 6,172,674) in view of Alexander et al (US 6,177,931

B1).

Regarding claim 1, Etheredge discloses a television program guide system

implemented on user television equipment (Figs 1 & 4, and col. I/lines 20-37),

comprising:

means for providing an option for a user to create a preference profile that is

indicative of the user's television programming interests, i.e., a user profile is created

(col. 8/lines 45-54) with user preferences (col. 20/line 62-col. 21/line 16) as an option for

user to select includes a plurality of selection levels according to user's television

programming interests (col. 1/lines 53-67 & col. 20/line 62 to col. 21 line 16).

Etheredge does not disclose the step of comprising "means for displaying a hot

list of programs on the user television equipment, wherein all of the programs on the hot

list are based on the preference profile and are substantially currently available for

viewing by the user;" however, Alexander teaches an exact same technique to provide

users an electronic program guide comprising at least either a favorite list, a preference

list or a hot list 22 (Fig.1) wherein the hot list with upcoming programs, which also can

be sorted by categories (Fig. 7).

The combination of Etheridge and Alexander fails to teach all of the programs on

the hot list are currently available for viewing by the user.

The Examiner takes Official Notice it would have been well known to show a user

programs which are substantially currently available to quickly provide a display and

indication of what programs are available at the current time. Therefore, it would have

been obvious to one of ordinary skill in the ad at the time the invention was made to

modify Etheredge's system with Alexander's technique of a hot list or a preference list to

provide users a choice of selecting an interesting event which is currently available for

quick selection.

As for claim 2, in further view of claim 1 above, the combination of Etheredge and

Alexander further discloses 'comprising means for providing the option for the user to

create the preference profile further comprises means for providing an option for a user

to create a preference profile that is indicative of the user's television programming

interests", i.e., a user profile is created (col. 8/lines 45-54) with user preferences (col.

20/line 62-col. 21/line 16) as an option for user to select includes a plurality of selection

Levels according to user's television programming interests (col. 1/lines 53-67 & col.

20/line 62 to 01. 21 line 16), and means for providing an option for the user to select of

at least several preference levels for each of the plurality of selected preference

attributes, wherein the selected preference attributes and the selected preference levels

are associated with the preference profile, i.e, options for selecting or creating a

preference profile and the selected preference levels are clearly taught by Etheredge

(Figs. 4, 7, 16, 19, 29 & 30, and col. 20/line 17 to col. 22/line 10 for more details on this

issue) and Alexander teaches to use a preference profile of users in providing

preference programs and levels of service (Alexander, col. 30/line 45 to col. 32/line 21

including smart sorting technique for providing favorite or hot programs to users based

on their personal profiles).

As for claim 3, in further view of claim 2 above, Etheredge discloses "comprising

means for providing an option of selecting a preference scope that is associated with

the preference profile", i.e., preference scope such as whether like or dislike associated

with "Favorites" (channels) of the preference profile (Fig. 29, and col. 20/line 62 to col.

21/line 37).

As for claim 4, in further view of claim 2 above, Etheredge teaches' "wherein

there are multiple profiles, the system further comprising means for providing an option

of selecting which of the profiles to make active, i.e., multiple profiles for View List,

Favorites, Critics and so on are shown up on the display screen for user to select (Fig.

29).

Regarding claims 5-7, in further view of claim 1, Alexander further discloses the

steps of "further comprising means for turning on an auto-reminders feature'" "wherein

a given one of the profiles is active, the system further comprising means for displaying

automatic reminders when the auto-reminders feature is turned on based on the active

profile just prior to the scheduled broadcast times of programs satisfying the active

profile'" and "comprising: means for providing a view now option for programs for which

automatic reminders are displayed; and means for tuning to a given one of the

programs for which the automatic reminders are displayed when the user selects the

view now option for that program" (see Alexander, col. 29/line 14-67 for personal profile

creation; and col. 30/line 45 t6 col. 32/line 21 for the utilization of personal profile to

customize the preference programs to viewers).

As for claim 8, in further view of claim 2 above, the combination of Etheredge and

Alexander further discloses "wherein at least two of the preference profiles are active

and wherein the means for displaying the hot list of programs based on at least two

preference profiles further comprises means for indicating which of the programs in the

hot list of programs satisfy which of the preference profiles", i.e, a preference list of

more than at least two of the preference profiles, for instance, favorites, critics or topics

are displayed to users with a choice, to update the selected preference attributes and

selected preference levels in those preference profiles (as illustrated in Fig. 29, and col.

20/line 62 to col. 21/line 17., and Alexander's hot list of claim 1 above).

As for claim 9, in further view of claim 8 above, Etheredge further discloses

"wherein the means for indicating comprises means for listing the programs that satisfy

one of the two profiles using one color and the programs that satisfy the other of the two

profiles using another color", i.e., the color lights 962 & 963 and so on... will represent

graphical depiction or without the graphical depiction of user selection in the display

based on the slider 234 from interest level 0 to 9, thus, the color light will be different for

one (non-selected) and for the other (selected) (see Fig. 29, and col. 20/line 62 to col.

21/line 37).

As for claim 10, in further view of claim 8 above, Etheredge teaches 'Wherein the

means for indicating comprises means for listing the programs that satisfy one of the

two profiles using one pattern and tie programs that satisfy the other of the two profiles

using another pattern", i.e., steps for searching or listing one of two profiles using

different patterns, for instance, a pattern for searching or listing the "Topics" is different

than a pattern for searching or listing the "Titles" (as illustrated in Figs. 10 & 11).

As for claim 11, in further view of 'claim 8 above, Etheredge further teaches

"wherein the means for indicating comprises means for listing the programs that satisfy

one of the two profiles using one icon and the programs that satisfy the other of the two

profiles using another icon", i.e., various icons or symbols can be used for identifying

additional information about a program (see Figs. 24-25, 27-28 and col. 19/lines 27-52).

As for claim 12, in further view of claim 4 above, the combination of Etheredge

and Alexander discloses "wherein the means for displaying the hot list of programs

further comprises Means for displaying the hot list of programs based on the multiple

profiles", i.e, a preference list of multiple profiles, for instance, favorites, critics or topics

are displayed to users with a choice to update the selected preference attributes and

selected preference levels in those preference profiles (as illustrated in Etheredge, Fig.

29, and col. 20/line 62 to col. 21/line 17; and Alexander's hot list of claim 1 above).

As for claim 13, in further view of claim 4, the combination of Etheredge and

Alexander teaches "further comprising means for allowing tuning to certain channels based on multiple profiles" (as illustrated in Figs. 4, 14, 15 for a program guide with the options for user to select a preference list such as Channel, Topic, People in item 290 of Fig 15 & profiles of Alexander's, col. 29/lines 14-67).

As for claims 14-18, in further view of claim 1 , Etheredge further teaches "comprising means for allowing the user to tune to a selected program, wherein the means for providing the option of creating the preference profile further comprises means for creating the preference profile based on characteristics of the selected program; "wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the title of the selected program"; "wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the genre of the selected program'" and "wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the channel of the selected program"; and "wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the rating of the selected program", i.e., profiles are created based on characteristics of the selected program such as based on view record, actors, daily shows, channels, titles, genre or topics and ratings or restrictions (see Figs. 3, 5, 6, 8-9, 10-1 1 , 12 & 29., and col. 5/line 25 to col. 6/line 61).

As for claim 19, in further view of claim 1, Etheredge further discloses "comprising means for allowing the user to highlight a given program listing, wherein the means for providing the option of creating the preference profile further comprises means for creating the preference profile based on characteristics of the highlighted program listing, i.e., a program can be highlighted with a different color (as illustrated in Fig. 26, and col. 19/line 53 to col. 20/line 17).

As for claims 20-26, in further view of claim 19 above, the steps of "wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the title of the highlighted program listing"; "wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the genre of the highlighted program listing; "wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the channel of the highlighted program listing"; "wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the rating of the highlighted program listing"; "means for allowing the user to tune to a selected program; and means for modifying a preference profile with which the selected preference attributes and the selected preference levels are associated based on the characteristics of the selected program; "means for allowing the user to highlight a given program listing, and means for modifying a preference profile with which the

selected preference attributes and the selected preference levels are associated based

on the characteristics of the highlighted program listing"; and "means for providing a

profiles display with which the user may modify a preference profile with which the

selected preference attributes and the selected preference levels are associated" are

taught by Etheredge as already disclosed in claims 12-19 above.

(Claim 27 was canceled.)

Regarding claims 28-35, these claims for a program guide system defined in

claim 1 further "comprising means for providing an option for displaying the hot list a

short time before the scheduled broadcast times of programs on the hot list and for

adjusting this time; "wherein the means for displaying the hot list further comprises

means for providing the hot list sorted by start time"; "wherein the means for displaying

the hot list further comprises means for providing the hot list sorted by channel";

"wherein the means for displaying the hot list further comprises means for providing the

hot list sorted by priority; "wherein the means for displaying the hot list sorted by priority

further comprises means for displaying the hot list with pay-per-view programming

having highest priority and being listed first; "further comprising means for allowing

tuning to certain channels based on the selected preference attributes and selected

preference levels'" "further comprising means for providing an option of specifying a sort

order for each of the selected preference attributes"; and 'further comprising means for

allowing tuning to certain channels based on the specified sort order" are taught by

Etheredge as disclosed in claims 12-27 with sorting technique as illustrated in Fig. 23 &

Alexander's hot list as discussed in claim 1 above.

Regarding claim 41, in further view of claim 1 above, Etheredge further teaches

"comprising means for providing a personal identification number setup screen", each

user can have a personal ID to set up profiles with a password (col. 5/lines 41-51).

As for claims 42-48. in further view of claim 41 above, these claims of "wherein

the means for providing the personal identification number setup screen further

comprises means for providing a plurality of personal identification number options

associated with a preference profile"; "wherein the means for providing the personal

identification number options further comprises means for setting whether a personal

identification number is required for activating the profile"; "wherein the means for

providing the personal identification number options further comprises means for setting

whether a personal identification number is required for deactivating the profile;

"further comprising means for providing a personal identification number setup screen,

wherein the means for providing the personal identification number (PIN) options further

comprises: means for providing a plurality of PIN options associated with a preference

profile with which the selected preference attributes and the selected preference levels

are associated', means for setting whether a personal identification number is required

for viewing which preference attributes are associated with the profile"; "wherein the

means for providing the personal identification number options further comprises means

for setting whether a personal identification number is required for modifying which

preference attributes have an associated preference level of illegal'" "wherein the

means for providing the personal identification number options further comprises means

for setting whether a personal identification number is required for modifying which

preference attributes have an associated preference level of mandatory'; "wherein the

means for providing the personal identification number options further comprises means

for setting whether a personal identification number is required for modifying like and

dislike preference levels" are taught by Etheredge because the personal ID is

necessary identification information for user to process their own profiles and all the

discussed limitations above in claims 12-35 to be followed (Fig. 3, and col. 5/lines 41-

51).

Regarding claim 49, in further view of claim 2, Etheredge teaches "wherein the

means for providing the option for the user to select a plurality of preference attributes

further comprises means for providing an option of selecting a given airing of a program

as a preference attribute , i.e., an option is addressed for users to select (Figs. 13, 15,

16, 19, 23-26 & 29-30).

Regarding claims 50-64, these claims for "means for allowing the given airing of

the program selected as a preference attribute to expire after the program has been

aired"; "wherein the means for providing the option for the user to select a plurality of

preference attributes further comprises means for providing an option of selecting a

broadcast characteristic as a preference attribute"; "wherein the means for providing the

option of selecting a broadcast characteristic as a preference attribute further comprises

means for providing closed-captioning as a preference attribute'" "wherein the means

for providing the option of selecting a broadcast characteristic as a preference attribute

further comprises means for providing second audio program as a preference attribute;

"further comprising means for providing an option of specifying a sod order for each of

the selected preference attributes"; "further comprising means for displaying the list of

programming based on the specific sort order"; "further comprising means for

providing the user with an option of selecting a preference scope"; "further comprising

means for displaying the list of programming based on the selected preference scope,

"further comprising means for allowing tuning to certain channels based on the selected

preference scope"; "wherein the means for providing the user with the option of

selecting the preference scope further comprises means for selecting a preference

scope selected from the group consisting of: narrow scope, moderate scope, and wide

scope; "wherein the preference levels include like, dislike, illegal, and mandatory, and

wherein the means for providing the user with the option of selecting the preference

scope further comprises means for selecting a preference scope that includes liked

programs that are not more disliked and that have all mandatory attributes and no illegal

attributes"; and "wherein the means for providing the option for the user to select a

plurality of preference attributes further comprises means for providing an option of

selecting a program series as a preference attribute" are taught by Etheredge as

disclosed in earlier claims 1-4, 8-35 and 41-49 above.

Regarding claims 65-75, in further view of claim 2, Etheredge further teaches

"wherein the means for providing the option for the user to select a plurality of

preference attributes further comprises means for providing an option of selecting a

genre of programming as a preference attribute"; "wherein the means for providing the

'option for the user to select a plurality of preference attributes further comprises means

for providing an option of selecting at least one rating as a preference attribute'" "means

for providing the option for the user to select a plurality of preference attributes further

comprises means for providing an option of selecting a given actor or actress as a

preference attribute"; 'Wherein the means for providing the option for the user to select

a plurality of preference attributes further comprises means for providing an option of

selecting a given topic as a preference attribute"; "wherein the means for providing the

option for the user to select a plurality of preference attributes further comprises means

for providing an option of selecting a word in a program description as a preference

attribute; "wherein the means for providing the option for the user to select a plurality of

preference attributes further comprises means for providing an option of selecting a

given program start time as a preference attribute"; "wherein the means for providing

the option for the user to select a plurality of preference attributes further comprises

means for providing an option of selecting a range of broadcast times as a preference

attribute; "wherein the means for providing the option for the user to select a plurality of

preference attributes further comprises means for providing an option of selecting

original programming as a preference attribute"; "wherein the means for providing the

option for the user to select a plurality of preference attributes further comprises means

for providing an option of selecting a given language as a preference attribute; "wherein

the means for providing the option for the user to select a plurality of preference

attributes further comprises means for providing an option of selecting a critics rating as

a preference attribute"; and "further comprising means for providing an option of

deselecting at least one of the selected preference attributes", i.e., an option is

addressed for users to select (Figs. 13, 15, 16, 19, 23-26 & 29-30) and user profiles are

created based on characteristics of the selected program such as based on view record,

actors, daily shows, channels, titles, genre or topics and ratings or restrictions (see Figs.

3, 5, 6, 8-9, 10-1 1, 12 & 29., and col. s/line 25 to col. 6/line 61).

As for claims 76-78, Etheredge further discloses "wherein the preference levels

include at least like and dislike"; "wherein the preference levels include at least strong

like and weak like"; and "wherein the preference levels include at least strong dislike

and weak dislike" (Fig. 29 with a slider in options in showing the highest interest or the

lowest interest).

(Claims 79-83 were canceled.)

As for claims 84-87, these claims for the steps of 'further comprising means for

providing an option for creating a master preference profile"; " wherein a plurality of

preference profiles including a master preference profile are active, the system further

comprising means for resolving conflicts between preference profiles in favor of the

master preference profile'" "wherein a master preference profile that is accessed by a

master personal identification number is used to define certain television viewing

preferences, the system further comprising means for displaying the hot list of programs

based on the master profile"; and "wherein a master preference profile that is accessed

by a master personal identification number is used to define certain television viewing

preferences, the means for displaying the hot list of programs further comprising means

for displaying the hot list of programs based on selected preference attributes and

selected preference levels in the master profile" are taught by Etheredge and Alexander

with a parent profile as a master profile in controlling accesses for their children (Fig. 3

and col. s/lines 25 to *1. 6/line 45 and earlier discussions in claims 1-4, 8-35, 41-49 &

Alexander's hot list as discussed in claim 1 above).

As for claim 88, in further view of claim 1, Etheredge further shows "means for

providing an opportunity for setting non-program settings associated with the preference

profile", i.e, non-program settings such as critics associated with the preference profiles

(Fig. 29).

As for claim 91, in further view of claim 1, Etheredge teaches "comprising: means

for providing an opportunity for creating multiple preference profiles, each of which has

an associated set of selected preference attributes and selected preference levels',

means for providing an option of selecting which of the profiles to make active', and

means for providing access to a messaging service based on information on which

profile is active", i.e, a preference list of multiple profiles, for instance, favorites, critics

or topics are displayed to users with a choice to update the selected preference

attributes and selected preference levels in those preference profiles (as illustrated in

Fig. 29, and col. 20/line 62 to col. 21/line 17).

Claims 181-218, 220, 223-265, 268-305, 31 1-352, 354, 356-393, 399-440, 442

and 444447 are met by that discussed above and/or are met by the combination of

Etheridge and Alexander.

Claims 36-40, and 89-90, 219, 221 , 222, 266, 267, 306-310, 353, 355, 394-398, 441 and 443 are rejected under 35 U.S.C. 103(a) as being unpatentable over Etheredge (U.S. Patent No. 6,172,674) in view of Alexander et al (U.S. Patent 6,177,931 B1) and Williams et al. (U.S. Patent No. 5,977,964).

Regarding claim 36, in further view of claim 1, Etheredge and Alexander do not disclose the steps of "comprising means for monitoring which programs are watched by the user"; however, Williams teaches an exact same technique of monitoring which programs are watched by the user (see Williams, col. I/line 49 to col. 2/line 21). Therefore, it would have been obvious to one of ordinary skill in the ad at the time the invention was made to modify Etheredge's system with Williams's disclosed technique of using a monitor controller system in monitoring the user pattern in selecting favorite programs in order to provide appropriate auto reminders for users a convenient tool for preparing in watching or recording an upcoming event in advance without having a chance to miss it.

As for claims 37-40, in further view of claim 36 above, these claims of "wherein the means for monitoring which programs are watched by the user further comprises means for monitoring viewing times 7 channels, and frequencies"; "comprising means for automatically modifying a preference profile with which the selected preference attributes and the selected preference levels are associated based on which programs are watched by the user; "further comprising means for providing an opportunity to review and modify automatic profile modifications made by the means for automatically modifying"; "further comprising means for disabling the means for automatically

modifying" are disclosed by Williams (Figs. 2-5 & 7*, and 01. s/lines 20-51, and col.

g/line 10 to col. 12/line 44 for monitoring viewing times, channels and frequencies such

as access times, reviewing and modifying a preference profile, or disabling for

automatically modifying processes).

Regarding claims 89-90, in further view of claim 1 and 36 above, the steps of

"further comprising: means for providing an option of creating a preference profile with

which the selected preference attributes and the selected preference levels are

associated: and means for providing an opportunity for setting non-program settings

associated with the preference profile, wherein the non-program settings include audio

settings for the user television equipment'; and "further comprising: means for providing

an option of creating a preference profile with which the selected preference attributes

and the selected preference levels are associated', and means for providing an

opportunity for setting non-program settings associated with the preference profile,

wherein the non-program settings include display settings" are taught by Williams as

Williams provides users the option to select audio settings in user profiles such as

volume settings or low volume settings (see Williams, Figs. 7-9, and col. lo/lines 42-

65).

Claims 219, 221, 222, 266, 267, 306-310, 353, 355, 394-398, 441 and 443, are

met by that discussed above and/or is met by the combination Etheredge in view of

Alexander et al and Williams et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (703) 305-4038. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs
3/5/05

VIVEK SRIVASTAVA
PRIMARY EXAMINER